

Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. #609-984-6880
Fax. #609-633-9839

**RECYCLING CENTER
GENERAL APPROVAL CONDITIONS
FOR RECEIPT, STORAGE, PROCESSING OR TRANSFER
OF CLASS B RECYCLABLE MATERIALS**

Under the provision of N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-99.11 et seq., known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 et seq., known as the Recycling Regulations, this Approval is hereby issued to:

Mid-Jersey Mulch Products, Inc.

MUNICIPALITY:	<u>Lawrence Township</u>
BLOCK NO.(S):	<u>3601</u>
LOT NO.(S):	<u>12</u>
COUNTY:	<u>Mercer</u>
CAPACITY:	<u>See Condition C.3</u>
RECYCLING CENTER NUMBER:	<u>1107001420</u>
APPROVAL EXPIRATION DATE:	<u>February 27, 2003</u>

This Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection or as may be amended in the future. All references to specific regulations include any future amendments thereto.

This Approval shall not prejudice any claim the State may have to riparian land, nor does it allow Mid-Jersey Mulch Products, Inc. or its principals to fill or alter, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

Compliance with the terms of this Approval does not relieve Mid-Jersey Mulch Products, Inc. or its principals of the obligation to comply with all applicable state and federal statutes, rules and other permits, and municipal approvals or ordinances which are not preempted by the DEP solid waste regulations at N.J.A.C. 7:26-1 et seq. and the recycling regulations at N.J.A.C. 7:26A-1 et seq.

Failure to comply with all the conditions specified herein may result in revocation of this Approval and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Approval shall be effective for not more than five (5) years. An Approval renewal shall be obtained from the Department prior to any activities which are to occur after the expiration of this Approval. In applying for a renewal, applicants shall follow the renewal submission requirements and procedures set forth in N.J.A.C. 7:26A-3.6.

This Approval is non-transferable, except as set forth in N.J.A.C. 7:26A-3.15.

February 27, 1998

Approval Date

November 8, 1999

Modification Date

February 27, 2003

Expiration Date

signed by Thomas Sherman, Assistant Director

Thomas Sherman

Assistant Director

Office of Permitting and Technical Programs

Recycling Center General Approval
for
Mid-Jersey Mulch Products, Inc.

A. AUTHORIZED RECYCLABLE MATERIALS

1. Permitted Class B Recyclable Materials (Revised 11/8/99)

The following source separated Class B recyclable materials which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials may be received, stored, processed or transferred at this facility:

Tree stumps, tree parts, brush
Wood Pallets
Wood (unpainted and non-chemically treated)
Leaves (uncomposted)

At no time shall the receipt, storage, processing or transferring of non-source separated construction and demolition material be allowed at this facility. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval.

2. By-Products

Incidental amounts of rebar, metal, soil and other by-products which adhere to the Class B recyclable materials as specified in Condition A.1 and returned to the economic mainstream as raw material or products, may be received, stored, processed or transferred at this facility. Its receipt shall not be separately accounted for but its storage and end-markets shall be subject to specific conditions of this Approval.

3. Contaminants

The maximum amount of contaminants allowed in each incoming load of Class B recyclable materials for acceptance shall be limited to 1% by volume.

Incidental by-product materials included within the Class B recyclable materials shall not be considered to be contaminants.

B. DESIGN AND CONSTRUCTION

The construction of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the New Jersey Uniform Construction Code, the approved documents listed below and this Approval.

1. Approved Documents (Revised 11/8/99)

- ? Site Plan: entitled "Figure 1, Proposed General Site Plan", prepared by Environmental Liability Management, Inc., signed and sealed by Mark A. Whitaker, license number 41417, dated December 4, 1997 and last revised September 29, 1999.
- ? Mid-Jersey Mulch Products, Inc. - Class B Recycling Center Permit Application, signed by Kenneth T. Hart of Environmental Liability Management, Inc., dated December 30, 1997.

- ? Mid-Jersey Mulch Products, Inc. - Letter and attachments signed by Phil Sandine of Environmental Liability Management, Inc., dated December 30, 1997.
- ? Mid-Jersey Mulch Products, Inc. - Facsimile letter and attachments from Kenneth T. Hart of Environmental Liability Management, Inc., dated January 14, 1998.
- ? Mid-Jersey Mulch Products, Inc. - Addendum to the Class B Recycling Center Application, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated February 10, 1998.
- ? Mid-Jersey Mulch Products, Inc. - Addendum to the Class B Recycling Center Application, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated February 24, 1998.
- ? Mid-Jersey Mulch Products, Inc. - Facsimile letter and attachment signed by Sean Martini of Mid-Jersey Mulch Products, Inc., dated February 24, 1998.
- ? Mid-Jersey Mulch Products, Inc. - Modification request, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated February 2, 1999.
- ? Mid-Jersey Mulch Products, Inc. - Response to the Department's March 2, 1999 Notice of Deficiency, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated April 20, 1999.
- ? Mid-Jersey Mulch Products, Inc. - Modification request, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated July 21, 1999.
- ? Mid-Jersey Mulch Products, Inc. - Response to the Department's September 28, 1999 Notice of Deficiency, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated September 29, 1999.
- ? Mid-Jersey Mulch Products, Inc. - Modification addendum, signed by Robert C. Ciolek of Shanley and Fisher, P.C., dated October 15, 1999.

C. RECYCLING CENTER OPERATIONAL STANDARDS

The operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the standards set forth herein and the approved documents specified in Condition B.1. Where any discrepancy exists, the terms of this Approval shall prevail.

1. Hours of Operation

Hours of operation for receiving, storing or transferring source separated recyclable material as specified in Condition A.1 of this Approval shall be limited to 7:30 a.m. to 6:00 p.m., Monday through Friday and 8:00 a.m. to 2:00 p.m., Saturday. The operation of the tubgrinder and/or trommel shall be limited to 8:00 a.m. to 6:00 p.m., Monday through Friday and 8:00 a.m. to 2:00 p.m., Saturday.

2. Residue

Residue generated as a result of processing source separated recyclable materials shall not exceed 1% by volume of the daily amount accepted.

Residue defined as solid waste, shall be transported by a NJDEP registered collector/hauler to the facilities approved by the Mercer County District Solid Waste Management Plan.

Residue shall be stored separately from recyclable material in containers and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area.

No residue shall be stored on site for a period exceeding six (6) months without prior approval of the NJDEP.

3. Maximum Daily Capacity (Revised 11/8/99)

During the months of June through August, Mid-Jersey Mulch Products, Inc. recycling center may receive no more than 500 tons per day of recyclable materials consisting of wood, wood pallets and tree stumps/tree parts and brush, as specified in Condition A.1 of this Approval.

During the months of September through May, Mid-Jersey Mulch, Inc., recycling center may receive no more than 400 tons per day of wood materials and 100 tons per day of uncomposted leaves as specified in Condition A.1 of this Approval. However, the total amount of uncomposted leaves that may be received at the facility on an annual basis shall not exceed 5,000 tons per year (September through May). At such a time when Mid-Jersey Mulch reaches the 5,000 ton per year total during the months of September through May, the receipt of uncomposted leaves at the facility will be prohibited and Mid-Jersey Mulch may receive no more than 500 tons per day of wood material as specified in Condition A.1 of this Approval.

4. Maximum Weekly Capacity (Revised 11/8/99)

During the months of June through August, Mid-Jersey Mulch Products, Inc. recycling center may receive no more than 3,000 tons per week of recyclable materials consisting of wood, wood pallets and tree stumps/tree parts and brush, as specified in Condition A.1 of this Approval.

During the months of September through May, Mid-Jersey Mulch, Inc., recycling center may receive no more than 2,400 tons per week of wood materials and 600 tons per week of uncomposted leaves as specified in Condition A.1 of this Approval. However, the total amount of uncomposted leaves that may be received at the facility on an annual basis shall not exceed 5,000 tons per year (September through May). At such a time when Mid-Jersey Mulch reaches the 5,000 ton per year total during the months of September through May, the receipt of uncomposted leaves at the facility will be prohibited and Mid-Jersey Mulch may receive no more than 3,000 tons per week of wood material as specified in Condition A.1 of this Approval.

5. Unprocessed Materials Storage

The total amount of unprocessed Class B recyclable materials stored on site shall not exceed 69,433 cubic yards and shall be stored only in those areas designated for that purpose as depicted on the approved site plan as Areas "A", "B", "C", and "E".

If at any time, the amount of unprocessed material stored on site exceeds 69,433 cubic yards, Mid-Jersey Mulch Products, Inc. shall

immediately cease receiving any unprocessed material until the amount of unprocessed material stored on site falls below 69,433 cubic yards.

The stockpile areas designated on the approved site plan as Areas "B", "C", and "E" shall maintain a 15 foot wide fire lane. The location of the fire lane will vary depending on the type and volume of material located in each area at any give time.

Unprocessed recyclable material shall not remain on site, in its unprocessed form, for more than one (1) year.

6. Processed Materials Storage

The total amount of processed Class B recyclable materials stored on site shall not exceed 85,156 cubic yards and shall be stored only in those areas designated for that purpose as depicted on the approved site plan as Areas "A" through "E".

If at any time, the amount of processed material stored on site exceeds 85,156 cubic yards, Mid-Jersey Mulch Products, Inc. shall immediately cease processing activities until the amount of processed material falls below 85,156 cubic yards.

The stockpile areas designated on the approved site plan as Areas "B", "C", "D", and "E" shall maintain a 15 foot wide fire lane. The location of the fire lane will vary depending on the type and volume of material located in each area at any give time.

All processed material shall be stored separately from residues.

7. By-Products Storage

By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents.

8. Horizontal and Vertical Controls

Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation heights of 20 feet above the existing grade for the unprocessed and processed stockpile areas.

Metal pipe or metal rods or the equivalent as approved by the Department shall be used to establish these control points. Within approximately thirty (30) days of the acceptance date of this Approval, a joint site inspection shall be held at the facility between the owner/operator and representatives of the Department for the purpose of establishing the locations of these markers.

9. Commingling

(Revised 11/8/99)

Mid-Jersey Mulch Products, Inc. may receive, store, process or transfer source separated tree stumps, tree parts, brush, and unpainted or non-chemically treated wood separately or in a commingled manner. The commingling of unprocessed source separated uncomposted leaves for receipt and storage with any other material is prohibited. Only after processing may leaves be

commingled with other material.

10. Storage and Processing of Leaves (Revised 11/8/99)

Source separated leaves which are not decaying or composting may be received by the facility for processing with scrap wood to enhance the final wood chip product. Specific limitations on the storing and processing of leaves are as follows.

- a. Leaves may be received only during the months of September through May and only if not decaying or composting as evident by leachate and/or color.
- b. Leaves received bagged will be emptied from the bags into the storage area: the bags will be considered residue and handled in accordance with Condition C.2.
- c. Leaves received vacuumed will be deposited into the storage area only if the level of contamination is in accordance with Condition A.3. Clean soil and gravel similar to that which may adhere to tree stumps shall not be considered contaminants. Street sweepings and similar debris shall be considered contaminants. Leaves with excessive contamination which were not rejected at inspection in accordance with the Incoming Materials Specification Sheet shall be treated as solid waste and disposed of with residue in accordance with Condition C.2.
- d. Unprocessed leaves shall be stored separately within either unprocessed material stockpile designated on the site plan as Areas "B" or "C" and shall be stored no longer than 48 hours after receipt before processing.
- e. Leaves shall be processed by being mixed with wood and fed into a hammer mill or tub grinder as is appropriate for further sized reduction and mixing. The mix ration shall be at least four parts wood to one part leaves (4:1) by volume, up to 5:1. Leaf volume shall be judged based upon "uncompacted leaves" for which nominally 3 cubic yards weighs one ton.
- f. Should objectionable odor or leachate be observed during an inspection of a processed materials storage area containing the wood/leaves mixture, Mid-Jersey Mulch Products, Inc. shall reprocess the material by mixing thoroughly with an equal volume of wood chips that does not contain leaves.
- g. Mid-Jersey Mulch Products, Inc. may accept a maximum of 100 tons per day of leaves through the months of September through May. The total amount of leaves received on an annual basis shall not exceed 5,000 tons of leaves per year.

11. Air Pollution Control Permit

Mid-Jersey Mulch Products, Inc. recycling center shall comply with all the requirements and conditions set forth in the Air Pollution Control Permit (APC) Certificate No. 121783 issued by the State of New Jersey, Department of Environmental Protection, Division of Environmental Quality, expiration date June, 1, 2001.

12. Applicable Regulations

The operation and related activities of this recycling center shall be in conformance with all applicable federal, State, county, municipal and local statutes, rules and ordinance including but not limited to nuisance, noise, fire and safety codes.

13. Safety Procedures

The operation of the recycling center shall be in conformance with the Occupational Safety and Health Act (OSHA) regulations as contained in the General Industry Standards 29 CFR 1910. Construction activities shall be in conformance with the OSHA regulations as contained in the Construction Industry Standards 29 CFR 1926. A copy of the safety procedures shall be posted on site.

14. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented within the recycling center interior to prevent the accumulation of litter, dust and debris, and to maintain general cleanliness in the working environment.

15. Odor Control

The operation of this recycling center shall not cause any air contaminant, including an air contaminant detectable by the sense of smell, to be present in the outdoor atmosphere in such quantity and duration which is, or tends to be, injurious to human health or welfare, animal or plant life or property, except for malodorous emissions emanating from the recycling center which result in odors in areas over which the owner and/or operator has exclusive use or occupancy.

16. Vector Control

The recycling center shall institute and maintain an effective vector control program at the center, directed by a qualified applicator of pesticides as set forth in the New Jersey Pesticide Control Code, N.J.A.C. 7:30.

17. Dust Control

Dust shall be controlled by the spraying of water, the spreading of calcium chloride or equivalent means as approved by this Division.

18. Noise Control

Noise controls shall be implemented so that noise levels generated at the recycling operation shall not exceed the standards set forth by New Jersey State Noise Control Regulations under N.J.A.C. 7:29-1.2.

19. Fire Protection and Emergency Response (Revised 11/8/99)

Fire fighting and emergency procedures shall be posted, and shall include the telephone number of local fire, police, ambulance and hospital facilities.

If a fire occurs on-site, the facility shall immediately notify the local fire official and within 24 hours report the incident to the DEP Hotline at 1(888) WARNDP.

20. Entrance Sign

A legible sign shall be posted and maintained at the entrance to the recycling center and indicate the hours of operation of the recycling center as well as the following information:

- a. A listing of the approved recyclable materials as specified in Condition A.1 of this Approval.
- b. The size, weight or other restrictions regarding materials to be received.
- c. A notice that all vehicles delivering materials to be recycling center will be inspected, and if found to contain contaminants greater than 1% by volume, will be rejected.
- d. A notice that persons bringing materials to the recycling center shall complete and certify a materials receipt form.

21. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be implemented to comply with this condition.

22. Site Access

Ingress and egress of the facility shall be restricted to Bakers Basin Road only.

23. Hazardous Waste

(Revised 11/8/99)

Any suspected or prohibited hazardous waste, as define at N.J.A.C. 7:26-G5, found in a load accepted at the facility shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at 1(888)WARNDP. The owner/operator shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

24. Documents On-Site

A copy of the approved documents as referenced in Condition B.1 and a copy of this approval shall be maintained at the facility and shall be made available for inspection by Department personnel or its designated representatives.

25. Covered Vehicles

Whenever feasible, Mid-Jersey Mulch Products, Inc. shall request that the operators of vehicles equipped with tarps utilize such tarps when entering or exiting the facility. Also, vehicles owned by Britton Contracting, Inc. shall, whenever feasible, use tarps equipped on its vehicles.

26. End-Markets

All end-markets to which recyclable materials are transported from the recycling center shall remain consistent with those end-

markets specified in the approved documents. Any modification in the actual end-market for a recyclable material specified in Condition A.1 shall be in conformance with N.J.A.C. 7:26A-3.10(f).

27. Right of Entry

The New Jersey Department of Environmental Protection shall have the right to enter and inspect, without prior notice, any building or other portion of the recycling center, or any other location of the company or its affiliated companies at any time.

This right to inspect includes, but is not limited to, the right to engage in the following activities:

- a. Sample any materials on site;
- b. Photographing or videotaping any portion of the recycling center;
- c. Investigating an actual or suspected source of pollution of the environment;
- d. Ascertaining compliance or non-compliance with the statutes, rules or regulations of the NJDEP, including conditions of the recycling center approval issued by the NJDEP; or
- e. Reviewing and copying all applicable records, which shall be made available to the NJDEP during an inspection and submitted to the NJDEP upon request.

D. RECORDKEEPING AND REPORTING

1. Recordkeeping

In accordance with N.J.A.C. 7:26A-3.17, Mid-Jersey Mulch Products, Inc. shall maintain daily records of all materials received, stored, processed or transferred at the site. Said records shall be available at all times for inspection and shall indicate, at a minimum, the following:

- a. A daily record of the amounts of each recyclable materials by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons or in cubic yards. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.
- b. The name, address, and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amount, in tons or cubic yards, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. NJDEP reserves the right to verify all end-market information submitted by Mid-Jersey Mulch Products, Inc.
- c. The amount of residue disposed of, expressed in tons or cubic yards, including the name and the New Jersey

Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of residue from cubic yards to tons.

Mid-Jersey Mulch Products, Inc. shall retain the information for three (3) calendar years following the calendar year for which reporting is required.

2. Reporting

a. Annual Report

In accordance with N.J.A.C. 7:26A-3.17, Mid-Jersey Mulch Products, Inc. shall submit an annual report containing monthly summary statements of the information required pursuant to Condition D.1 above to the New Jersey Department of Environmental Protection on or before February 1 of each year, for the previous calendar year. The summaries shall include monthly totals of the amount of recyclable material received from each customer by the municipality of origin. Furthermore, the summaries shall include monthly totals of the amount of recyclable product transferred to each end-market. The summaries shall also include the amount of residue disposed of during each month. An annual fee will be paid to the Department on May 1, in accordance with N.J.A.C. 7:26A-2.1(b)1;

b. Residue Disposal

Mid-Jersey Mulch Products, Inc. shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report;

c. Tonnage Report

Mid-Jersey Mulch Products, Inc. shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material was received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

One original and one copy of the annual report and tonnage report shall be submitted to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
Chief, Bureau of Recycling & Planning
P.O. Box 414
Trenton, New Jersey 08625-0414

Failure to comply with any or all conditions of this Approval will result in the NJDEP seeking relief under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. Specifically, each day of failure to so comply shall constitute a

separate violation on the basis of which a penalty shall be assessed pursuant to N.J.S.A. 13:1E-9 and may subject Mid-Jersey Mulch Products, Inc. to regulation as a solid waste facility pursuant to N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq.

The issuance of this Approval and the conditions of operation identified herein shall not be interpreted as relieving the applicant of his responsibility to secure and maintain all other applicable federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.

Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. # (609) 984-6650
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CERTIFIED MAIL
RETURN RECEIPT REQUESTD

Robert C. Ciolek
Shanley & Fisher
131 Madison Avenue
Morristown, NJ 07962-1979

Re: Modification to General Approval for Class B Recycling Facility
Mid-Jersey Mulch Products, Inc.
Lawrence Township, Mercer County
Facility #1107001420

Dear Mr. Ciolek:

This letter is in response to your modification request dated July 21, 1999 and subsequent submittals dated September 29, 1999 and October 15, 1999 wherein you requested the following modification to the General Approval issued to Mid-Jersey Mulch Products, Inc., dated February 27, 1998:

- ? A proposal to receive and store, for a period not to exceed 48 hours, 100 tons (300 cubic yards) of leaves per day in the months of September through May, not to exceed a total of 5,000 tons annually. Leaves will be processed with wood material within a 48 hour time period.

Our review of this modification request has been completed and, as a result we have found the modification to be acceptable.

Enclosed is the revised recycling center Approval, which indicates the modification to the conditions effected, Conditions A.1, B.1, C.3, C.4, C.9 and C.10. In addition, Conditions C.19 and C.23 have been updated in this Approval.

If you have any questions regarding this matter, please contact Carolyn Hansel, of my staff, at (609)984-6650 or by e-mail at chansel@dep.state.nj.us.

Sincerely,

Thomas Sherman
Assistant Director
Office of Permitting and
Technical Programs

TS:CH
Enclosure

cc: Rai Belonzi, Chief, Bureau of Inspections & Investigations, w/enc.
Brian Petitt, Bureau of Inspections & Investigations, w/enc.
Al Collins, Mercer County Solid Waste Coordinator
Dorothy MacAuthur, Mercer County Recycling Coordinator
Mercer County Health Officer, w/enc.
William Erney, Lawrence Township Fire Marshall